

BEFORE THE
POSTAL RATE COMMISSION
WASHINGTON, D.C. 20268-0001

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POSTAL RATE COMMISSION
OFFICE OF THE SECRETARY

Complaint on Priority Mail Rates

Docket No. C2001-2

SUPPLEMENT TO MOTION OF THE UNITED STATES POSTAL SERVICE
TO DISMISS COMPLAINT
(February 20, 2001)

In accordance with the terms of PRC Order No. 1304 (February 14, 2001), the United States Postal Service files this pleading to supplement its February 12, 2001, Motion to Dismiss the above-captioned complaint.

On February 9, 2001, the Commission issued its Opinion and Further Recommended Decision in Docket No. R2000-1. At ¶4003 of its Further Recommended Decision, the Commission adjusted Priority Mail revenues to account for the December 4, 2001, determination by the Governors to reject the recommended Priority Mail flat rate envelope classification change. Thus, the Commission acknowledged the rejection of its prior recommendation for a classification change affecting Priority Mail flat rate envelopes and chose not to recommend that change again. At the same time, the Commission's Further Recommended Decision did not recommend any Priority Mail rates other than those currently in effect.

From these actions, it is reasonable to assume that, in recommending the current rates without an accompanying classification change, the Commission considers these rates to be fair, equitable, supported by substantial evidence,

appropriately cost-based, and otherwise compliant with the requirements and policies of the Postal Reorganization Act. Accordingly, the Postal Service interprets the Commission's newly recommended Priority Mail revenue adjustment as an implicit indication that -- notwithstanding the rejection of the recommended flat rate envelope classification change -- the Priority Mail rates recommended by the Commission and allowed under protest by the Governors are not inconsistent with the policies of the Act, contrary to the allegations in the Complaint.

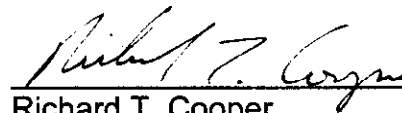
The Postal Service considers it even more clear than before that Complainant has no basis for a claim under § 3662 and that his request for a hearing on the subject matter of his Complaint should be summarily dismissed.

Respectfully submitted,

UNITED STATES POSTAL SERVICE

By its attorneys:

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Chief Counsel
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Richard T. Cooper
Attorney

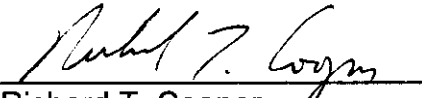
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February 20, 2001

CERTIFICATE OF SERVICE

I hereby certify that, in accordance with section 12 of the Rules of Practice, I have this day served the foregoing document upon:

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